

Remarks

This Reply is in response to the Final Office Action mailed February 20, 2008.

Applicants' representative gratefully acknowledges the courtesy of interviews with Examiner Yosef Kassa on April 1, 2008 and again on April 17, 2008. During the April 1, 2008 interview the participants discussed dependant Claims 7 and 27. During the April 17, 2008 interview the participants discussed a proposed amended version of Claim 1 incorporating former dependant Claim 7.

I. Summary of Interviews

Applicants' representative gratefully acknowledges the courtesy of interviews with Examiner Yosef Kassa on April 1, 2008 and again on April 17, 2008.

During the April 1, 2008 interview the participants discussed dependant Claims 7 and 27. The discussion as to Claim 7 was centered on the phrase "ease of modification." Examiner Kassa indicated that the use of the phrase "ease of modification" is too broad. As to Claim 27, it was explained by Applicants' representative that the vectors described in this claim are literal representations of image geometry. No agreements were reached during the interview.

During the April 17, 2008 interview the participants further discussed the use of the phrase "ease of modification." It was also discussed how broadly the word "modifiable" would likely be interpreted. Again, no agreements were reached during the interview.

II. Summary of Examiner's Rejections

Prior to the Office Action mailed on February 20, 2008, Claims 1 and 6-32 were pending in the Application. In the Office Action, Claims 1 and 6-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over De Bonet (U.S. Patent 5,852,823) (hereinafter "De Bonet") and further in view of Rosenberg et al (U.S. Patent 6,947,162) (hereinafter "Rosenberg"). Claims 9-16 were also rejected under 35 U.S.C. § 101 on the grounds that the claimed inventions were directed to non-statutory subject matters.

III. Summary of Applicant's Amendments

The present Reply amends claims 1, 9-10, 16-22 and 28-32; cancel claims 7, 11-15, 23, 25 and 27; and adds new claims 33-35, all as shown above. Applicants respectfully reserve the right to prosecute any originally presented or canceled claims in a continuing or future application.

IV. Claim Rejections under 35 U.S.C. § 101

In the Office Action, Claim 9-16 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claim 9-10 and 16 have been amended to overcome this rejection. Claims 11-15 have been cancelled. Accordingly, reconsideration is respectfully requested.

V. Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, Claims 1 and 6-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over De Bonet and further in view of Rosenberg.

Claim 1

Claim 1 has been amended by the current Reply to more clearly define the embodiment therein. As amended, Claim 1 defines:

1. (Currently Amended) A method for providing images, the method comprising:
receiving at least one search result, the search result comprising an image, wherein the image includes an original rank, the original rank based on the relevance of the image within the search result;
converting the image to a vector image, wherein the vector image comprises vector objects that represent the image, said vector objects including line segments;
determining a usability of the vector image according to image qualities of the vector image;
wherein determining the usability comprises determining an ease of modification, said ease of modification being a measurement of the ease by which the vector objects within the vector image can be modified based on the image qualities of the vector image; and
assigning a new rank to the search result in response to the usability of the vector image.

De Bonet relates to a method for searching for images in a database utilizing a query by example paradigm. In De Bonet, a user supplies a group of so-called query images. Then, the invention, through a mathematical assessment of visual similarity, compares the query images to other images in a database. The result of the method is that the images most similar to the query images in the database are returned. Specifically, images are reduced to a set of features for indexing and re-retrieval. The features are computed from local neighborhoods in the images and are represented by a sequence of numeric values, i.e. vectors. The reduced feature vectors provide the user with a mathematical means to assess similarities between images.

Rosenberg relates to systems for converting the format of a document from a first format to a second format.

Applicants' invention embodied in Claim 1 is not anticipated by or obvious in light of De Bonet or Rosenberg, *inter alia*, for the following reasons. As set forth in Claim 1, an image is converted into a vector image, wherein the vector image comprises vector objects that represent the image. De Bonet does not appear to disclose converting images to vector images. Nor does De Bonet appear to disclose the use of vector objects that represent the image.

Claim 1 also includes the step of determining an ease of modification, said ease of modification being a measurement of the ease by which the vector objects within the vector image can be modified based on the image qualities of the vector image. This feature of Applicants' invention is neither anticipated by nor obvious in light of either De Bonet or Rosenberg.

It is noted that Former Claim 7 (which has now been cancelled and essentially incorporated into Claim 1) included the following limitation: "wherein usability comprises an ease of modification for the converted image." In the Office Action, Col. 7, lines 38-44 of De Bonet was cited when rejecting former Claim 7. However, Col. 7, lines 38-44 of De Bonet cannot reasonably be read to disclose a method of ranking converted images based on an ease of modification. In fact, De Bonet does not appear to discuss modifying images at all, much less determining the ease with which an image can be modified. Given the fact that De Bonet is focused on indexing and retrieving of images, as opposed to editing images, De Bonet would have no reason to disclose Applicants' invention embodied in former Claim 7 and now in Claim 1.

It is therefore respectfully submitted that the rejection of former Claim 7 was unsupported and improper. Accordingly, Applicant respectfully submits that Claim 1 is not anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 28-32

Claims 28-32 disclose the use of various image qualities to determine the ease of modification for the vector image. These claims cannot properly be rejected as being obvious in light of De Bonet or Rosenberg since, as set forth above as to Claim 1, neither of these patents disclose determining an ease of modification, said ease of modification being a measurement of the ease by which the vector objects within the vector image can be modified based on the image qualities of the vector image. Accordingly, Applicant respectfully submits that Claims 28-32 is not anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 9 and 17

Independent Claims 9 and 17 have been amended similar to Claim 1 to more clearly define the embodiment therein and the comments provided for Claim 1 above are incorporated by reference herein. In view of the comments provided above for Claim 1, Applicants respectfully submit that the embodiments defined by Claims 9 and 17 are neither anticipated by, nor obvious in view of the cited reference, and reconsideration thereof is respectfully requested.

Claims 6, 8, 10, 16, 18-22, 24, 26 and 33-35

Claims 6, 8, 10, 16, 18-22, 24, 26 and 33-35 are not addressed separately but it is respectfully submitted that those claims are allowable as depending from an allowable independent claims and further in view of the comments provided above. Applicants respectfully submit that those claims are similarly neither anticipated by, nor obvious in view of the cited reference, and reconsideration thereof is respectfully requested. It is also submitted that those claims also add their own limitations which renders them patentable in their own right. Applicants respectfully reserve the right to argue these limitations should it become necessary in the future.

IV. Conclusion

In view of the above amendments and remarks set forth above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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